

Fiscal Services Division
Legislative Services Agency
Fiscal Note

SF 2219 - Human Trafficking (LSB 5087 SV)

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Fiscal Note Version – New

Requested by Senator Kreiman

Description

Senate File 2219 creates a new chapter in the Code of Iowa to outlaw human trafficking in the State of Iowa. The Bill imposes a graduated system of criminal penalties for human trafficking, ranging from a Class D to a Class A felony. Senate File 2219 also provides for civil penalties and forfeiture proceedings. The Bill requires the Iowa Law Enforcement Academy (ILEA) to provide training related to human trafficking to local law enforcement. Senate File 2219 provides for compensation to victims.

Background

1. This Bill creates new crimes. Therefore, there are no data with which to estimate the number of individuals or corporations that could be charged and convicted under the provisions of the Bill.
2. According to U.S. government estimates, there may be 18,000 to 20,000 victims of human trafficking entering the U.S. each year. The number of victims that may be in Iowa is not estimated.
3. According to the U.S. Department of State, the U.S. Department of Justice initiated prosecutions against 59 human traffickers in FY 2004, the most current data available.
4. The average State costs for one Class D felony conviction ranges from \$3,100 (court costs, probation, and indigent defense) to \$12,100 (court costs, jury trial, indigent defense, prison and parole).
5. The average State costs for one Class C felony conviction ranges from \$3,300 (court costs, indigent defense, and probation) to \$23,700 (court costs, jury trial, indigent defense, prison and parole).
6. The average State costs for one Class B felony conviction ranges from \$5,600 (court costs indigent defense, and probation) to \$61,700 (court costs, jury trial, indigent defense, prison and parole).
7. The costs stated above for the Class D, C, and B Felony will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.
8. The average State costs for one Class A felony conviction ranges from \$418,000 to \$760,000, depending upon prosecution and defense costs, and where the offender is housed in the State prison system. This includes court costs, prosecution and defense costs, housing costs at the county jail pending trial and sentencing, and the cost of housing the offender in the State prison system. These costs will be incurred across multiple fiscal years, approximately 17 years from the time of arrest until the offender's death in the State prison system.

Assumptions

1. Based on the level of federal prosecutions, there will be no more than two Iowa prosecutions annually.
2. The ILEA will incur additional costs for implementing the training requirements under SF 2219. Federal funds may be available, or local governments may be billed for the training.
3. Victims would be eligible for victim compensation from the Crime Victim Compensation Fund, plus compensation for legal assistance, translation services, medical care, mental health counseling, plus food and shelter. These costs are estimated to be \$26,000 per victim per year. Legal services may be provided pro bono, in which case the cost per victim is reduced to \$6,000.

Correctional Impact

Senate File 2219 is not anticipated to have a significant correctional impact. It is anticipated that there will be ten or fewer convictions under the provisions of the Bill in the next five years. These convictions would more than likely be for Class D felonies.

Fiscal Impact

The maximum fiscal impact is estimated to be \$98,000 annually, as indicated in the table below. Multiple funding sources are available, as indicated in the table.

Department	Fiscal Impact		Funding Source
	FY 2007	FY 2008	
ILEA	\$ 27,500	\$ 27,500	Federal, State, or Local Governments
Department of Justice	26,000	52,000	Crime Victim Compensation Fund; Legal services may be provided pro bono
Public Defender	1,000	2,000	State General Fund
Judicial Branch	250	500	State General Fund
Corrections Department	2,600	16,000	State General Fund
Total	\$ 57,350	\$ 98,000	

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Judicial Branch
Department of Corrections
Office of the State Public Defender
Iowa Law Enforcement Academy
Office of the Attorney General

/s/ Holly M. Lyons

March 10, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
